

On behalf of the Florida Restaurant Association, I would like to bring to your attention some matters that may not have been considered during the recent hearings on unsolicited fax transmissions of advertisements.

For some time now, the business community has enjoyed the "established business relationship" qualification as applied to the current rules involving fax transmissions. The sudden removal of this qualification places a tremendous burden on the business community.

The interpretation and ruling that has been published in the Federal Register by the Federal Communications Commission and set to go into effect on August 25, 2003, not only creates yet another unnecessary layer of government bureaucracy on business, but also creates uncertainty as to which transmissions and communications are protected and which are prohibited by this proposed new rule.

The Florida Restaurant Association represents well over 15,000 restaurants and related industries. Many of our communications are a mixture of both information and advertisements for products and services. To obtain written permission from each member and allied member will impose great costs and will unduly interfere with our ability to conduct business and communicate with the industry we represent.

The uncertainty created by varying reasonable interpretations of this proposed rule as to which communications are allowable and which are prohibited, together with the extremely short time frame that the business community has to comply with this regulation, brings our association to respectfully request that you reconsider this proposed rule and hold additional hearings in order to avoid confusion and unnecessary burdens upon the business community.